

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

TANYA WILLIAMS, et al.

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Plaintiffs

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v

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Civil Case No.: 17-CV-2381-ELH

DEPUTY FIRST CLASS ANTHONY DIX, et al.

*

Defendants

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* * * * *

MOTION TO DISMISS AMENDED COMPLAINT

Defendants Deputy First Class Anthony Dix, Deputy First Class Keith Jackson, Deputy First Class Steve Minton, Deputy First Class Vincent Denardi, Deputy First Class Amanda McCormack, Deputy First Class Donnie Gividen, and Deputy First Class Chris Gibbons, by and through their undersigned counsel, moves for dismissal under Rule 12(b)(6) and in support state as follows:

1. The Complaint was a “John Doe” pleading, referring to seven defendants “Deputy Sheriff John/Jane Doe.” (ECF No. 1.)
2. The Complaint’s sole claim, under 42 U.S.C. § 1983, is based on events alleged to have occurred on August 20, 2014. (ECF No. 1 ¶ 18.)
3. The Amended Complaint (ECF No. 11) makes the same claim as the Complaint but names the Defendants.

4. The Amended Complaint was filed on February 5, 2018, more than three years after August 20, 2014, and three years is the applicable limitations period.
5. The Amended Complaint does not relate back to the date of the original Complaint.

For the reasons stated, Defendants are entitled to dismissal, with prejudice, of the claim against them in the Amended Complaint. In further support of this motion, Defendants refer the Court to the accompanying Memorandum in Support of Defendants' Motion to Dismiss Amended Complaint.

Respectfully submitted,

/s/

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 30th day of May 2018, a copy of the foregoing was served, by electronic filing, upon:

Robert Smith, Jr.
2317 North Charles Street
Baltimore, MD 21218

/s/
Bradley J. Neitzel